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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/800,039	03/06/2001	Pervez Hassan Sagarwala	93-C-091C1 (STMI01-00012)	7946
30425	7590	10/16/2003	EXAMINER	
STMICROELECTRONICS, INC. MAIL STATION 2346 1310 ELECTRONICS DRIVE CARROLLTON, TX 75006			PRENTY, MARK V	
			ART UNIT	PAPER NUMBER
			2822	

DATE MAILED: 10/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/800,039

Applicant(s)

SAGARWALA ET AL.

Examiner

MARK V PRENTY

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 30-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-7 and 30-32 is/are allowed.
- 6) ☒ Claim(s) 33 and 39 is/are rejected.
- 7) ☒ Claim(s) 34-38 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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This Office Action is in response to the amendment filed September 22, 2003.

Claims 33 and 39 are rejected under 35 U.S.C. 102(b) as being anticipated by Shirato (newly cited United States Patent 4,530,150).

With respect to independent claim 33, Shirato discloses a structure for use in forming a CMOS integrated circuit (see the entire patent, particularly the Fig. 2G disclosure), comprising: a p-type region 2 for an n-channel transistor including lightly doped source and drain regions 9; an n-type region 1 for a p-channel transistor without lightly doped source and drain regions (note that n-type regions 9 are not lightly doped source and drain regions of the p-channel transistor); a gate electrode overlying a portion of the n-type region 1, the gate electrode having a width less than a minimum channel length required for the p-channel transistor (i.e., the distance between the p-channel transistor's source and drain regions 8s and 8d); and at least one conformal insulating layer 10 over a top and sides of the gate electrode, the insulating layer having a thickness which, taken on opposing sides of the gate electrode and combined with the width of the gate electrode, exceeds a minimum channel length required for the p-channel transistor (again, the distance between the p-channel transistor's source and drain regions 8s and 8d).

Claim 33 is thus rejected under 35 U.S.C. 102(b) as being anticipated by Shirato.

With respect to dependent claim 39, Shirator's structure further comprises an n-channel transistor gate electrode 5 overlying a portion of the p-type region 2; lightly doped source and drain regions 9 within the p-type region aligned with the n-channel transistor gate electrode.

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Claim 39 is thus rejected under 35 U.S.C. 102(b) as being anticipated by Shirato.

Claim 34 is objected to as being dependent upon a rejected base claim, but would be allowable over the prior art of record if amended to include all the limitations of independent claim 33.

Claim 35 is objected to as being dependent upon a rejected base claim, but would be allowable over the prior art of record if amended to include all the limitations of independent claim 33 and dependent claim 34.

Claim 36 is objected to as being dependent upon a rejected base claim, but would be allowable over the prior art of record if amended to include all the limitations of independent claim 33, dependent claim 34 and dependent claim 35.

Claim 37 is objected to as being dependent upon a rejected base claim, but would be allowable over the prior art of record if amended to include all the limitations of independent claim 33, dependent claim 34, dependent claim 35 and dependent claim 36.

Claim 38 is objected to as being dependent upon a rejected base claim, but would be allowable over the prior art of record if amended to include all the limitations of independent claim 33.

Claims 1-7 and 30-32 are allowable over the prior art of record.

Registered practitioners can telephone examiner Prenty at (703) 308-4939. Any voicemail message left for the examiner must include the name and registration number of the registered practitioner calling, and the Application/Control (Serial) Number. Technology Center 2800's general telephone number is (703) 308-0956.

Mark Prenty